



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,622	11/20/2001	Kenji Yoshioka	21900/0037	2069

7590 03/16/2007
Morris Liss
Connolly Bove Lodge & Hutz
PO Box 19088
Washington, DC 20036-3425

EXAMINER

PEREZ, JULIO R

ART UNIT	PAPER NUMBER
----------	--------------

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MONTHS	03/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/937,622

Applicant(s)

YOSHIOKA ET AL.

Examiner

Julio R. Perez

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seto, US 2001/0002815 in view of Timm et al. (hereinafter Timm), US Patent Number 5,572,204.

Regarding claims 12, 15, Soto discloses a vehicle system comprising: an emergency communication system terminal unit provided on the vehicle (Figure 1, #1) for transmitting emergency information to a remote emergency services center (par. 17, figure 1, #'s 7, 10, teach transmitting emergency information to a HELP center, a transmitting unit included in the emergency call system transmits status information to a HELP center, which reads on "transmitting emergency information to a remote emergency services center"); a gyro sensor (Figure 1, # 4) and a GPS receiver (par. 16, lines 1-2), both of which are included in the emergency communication system terminal unit for generating vehicle positional information to the emergency services center (par. 16, Figure 1, # 4, teach a gyro sensor/GPS to generate vehicle position); data output means for outputting information respectively originated by the gyro sensor and the GPS receiver to a navigation system that includes display means and means for indicating a changing present position of the vehicle on the display means (pars. 16-17,

Art Unit: 2617

Figure 1, #s 4, 6, 7, teach sending data out of the vehicle system antenna to the help center, and further teach display means for the depicting the position of the vehicle); and a control unit for controlling the entire emergency communication system terminal unit including the data output means (Figure 1, # 2, pars. 14-16, teach the arithmetic control unit within the emergency system controls the emergency system); whereby the navigation system and the emergency communication system terminal unit share the same gyro sensor and GPS receiver (Figure 1, # 4, pars. 16 – 17, teach a gyro and GPS are shared with navigation unit in the vehicle),

but is silent on a manual transmission by pressing a button for starting transmission of data from the data output means.

Timm teaches a single button to secure roadside or emergency assistance (col. 1, lines 61-62; col. 3, lines 2-10; Figure 1, # 26), which reads on a manual transmission button for transmitting data.

Regarding claims 13, 16, the combination of Soto and Timm discloses, wherein the control unit instructs the data output means to output the information if a request signal is generated by a timer unit provided with the control unit or the navigation system (Soto, pars. 14-16, teach in the event that a real emergency is detected, the control unit controls the means to provide indication of the state of the vehicle in relation to its movement and verification of the expiration of trials; thus, providing an output of the information).

Regarding claims 14, 17, the combination of Soto and Timm discloses, wherein the data output means outputs speed pulse data or reverse data originated by the vehicle to the navigation system (Soto, par. 29).

Response to Arguments

3. Applicant's arguments with respect to claims 12-14 have been considered but are moot in view of the new ground(s) of rejection. Discussion on added new claims 15-17 follows.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

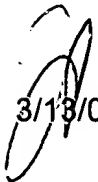
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2617


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 10:30 - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William H. Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


3/13/07

Julio R Perez
Examiner
Art Unit 2617


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600